

### **REMARKS**

Applicants respectfully request reconsideration of this application in view of the foregoing amendment and following remarks.

#### **Objection**

The disclosure has been objected to because of informalities. The Office Action indicates that there exists an inconsistency between Fig. 3 and the relevant portion of the specification.

Fig. 3 has been amended to correctly indicate the vertical length of the mark as 20  $\mu\text{m}$ .

Applicants respectfully request that this objection be withdrawn.

#### **Status of the Claims**

Claims 1-18 are pending in this application from which claims 9-18 are withdrawn. Among the remaining claims (i.e., claims 1-8), claim 1 is independent. All of the remaining claims are rejected. By this amendment, claims 1-8 are cancelled without prejudice or disclaimer. New claims 19-24 are added. No new matter has been added by this amendment.

#### **Rejection under 35 U.S.C. §112**

Claims 1-8 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Office Action indicates that the term “a plurality of lines” is unclear.

As indicated above, claims 1-8 have been cancelled rendering the rejections directed to these claims moot.

#### **Rejection under 35 U.S.C. §102**

Claims 1-6 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,754,300 to Magome et al. (“Magome”).

Claims 1-8 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,808,910 to Ire et al. (“Ire”).

Claims 1-8 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 4,962,318 to Nishi (“Nishi”).

As indicated above, claims 1-8 have been cancelled rendering the rejections directed to these claims moot.

### **New Claims**

New claims 19-24 have been added to recite the claimed invention in an alternative manner. Specifically, new independent claim 19 recites, *inter alia*, “calculating position of the mark with respect to each of a plurality of segments of the two-dimensional image information, regions of the plurality of segments being different from each other in a second direction orthogonal to the first direction.”

Applicants believe that none of the cited references (i.e., Magome, Irie and Nishi) shows or suggests the inventive method as discussed above which calculates position of the mark with respect to each of a plurality of segments of the two-dimensional image information, and regions of the plurality of segments are different from each other in a second direction orthogonal to the first direction. For example, Magome merely teaches an alignment method in which obtained image information is Fourier transformed having a higher order component of the image to detect the position information. Irie merely discloses an alignment method in which a plurality of areas of a substrate are selected and coordinate positions of the areas are measured on a static coordinate system to obtain nonlinear position errors to be used in determining whether the coordinate position of a peculiar area is used. Nishi merely discloses an alignment system of an

exposure apparatus comprising first and second detectors, and a determination unit. Each of the first and second detectors provides the position data of a first mark and a second mark, respectively, and the determination unit provides the position of the substrate as a whole based on the position data from the two detectors. New claim 19, and claims 20-24 in depending from claim 19, are accordingly believed to be allowable for at least the reasons discussed herein.

Applicants believe that the application as amended is in condition for allowance and such action is respectfully requested.